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TITLE 65 STATE LOTTERY COMMISSION

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Emergency Rule  
LSA Document #10-191(E)

## DIGEST

Amends [65 IAC 5-5-1](#) through [65 IAC 5-5-6](#) to reflect the current procedures, practices, and odds statements of the lottery regarding the Daily3 draw game. Effective April 1, 2010.

[65 IAC 5-5-1](#); [65 IAC 5-5-1.5](#); [65 IAC 5-5-2](#); [65 IAC 5-5-3](#); [65 IAC 5-5-4](#); [65 IAC 5-5-5](#); [65 IAC 5-5-6](#)

SECTION 1. [65 IAC 5-5-1](#) IS AMENDED TO READ AS FOLLOWS:

**[65 IAC 5-5-1](#) Name**

Authority: [IC 4-30-3-7](#); [IC 4-30-3-9](#)

Affected: [IC 4-30](#)

Sec. 1. The collective name of the ~~on-line~~ **draw** games conducted pursuant to this rule is "Daily3". As used in this rule, the term "Daily3" shall include both Daily3 – Evening and Daily3 – Midday unless context requires otherwise.

(State Lottery Commission; [65 IAC 5-5-1](#); emergency rule filed Jul 6, 1990, 5:00 p.m.: 13 IR 2009; readopted filed Nov 30, 2001, 11:02 a.m.: 25 IR 1268; emergency rule filed Dec 10, 2003, 12:15 p.m.: 27 IR 1587; readopted filed Nov 30, 2009, 3:04 p.m.: [20091223-IR-065090855RFA](#); emergency rule filed Apr 1, 2010, 2:17 p.m.: [20100414-IR-065100191ERA](#))

SECTION 2. [65 IAC 5-5-1.5](#) IS AMENDED TO READ AS FOLLOWS:

**[65 IAC 5-5-1.5](#) Independent draw games**

Authority: [IC 4-30-3-7](#); [IC 4-30-3-9](#)

Affected: [IC 4-30](#)

Sec. 1.5. (a) Daily3 shall be conducted as two (2) separate and independent ~~on-line~~ **draw** games designated Daily3 – Evening and Daily3 – Midday, respectively. ~~On-line~~ Tickets in the Daily3 – Evening ~~on-line~~ game are not associated with the Daily3 – Midday ~~on-line~~ game and vice versa. The two (2) ~~on-line~~ games shall have separate selection events, winning numbers, and prizes. Notwithstanding the foregoing, the odds, play styles, and prizes **prize amounts** shall be the same **identical** in all **both** Daily3 selection events. **games.**

(b) A multidraw ticket in the Daily3 – Evening ~~on-line~~ game shall be for the next **consecutive** Daily3 – Evening selection event(s) **following the first selection event for which the ticket is valid, and** a multidraw ticket in the Daily3 – Midday ~~on-line~~ game shall be for the next **consecutive** Daily3 – Midday selection event(s) **following the first selection event for which the ticket is valid. If the player elects to make a wager in both the Daily3 – Midday and Daily3 – Evening games and requests a multidraw ticket, the multidraw option shall apply to the next consecutive selection event(s) of both the Daily3 – Evening and Daily3 – Midday games.**

(State Lottery Commission; [65 IAC 5-5-1.5](#); emergency rule filed Dec 10, 2003, 12:15 p.m.: 27 IR 1587; readopted filed Nov 30, 2009, 3:04 p.m.: [20091223-IR-065090855RFA](#); emergency rule filed Apr 1, 2010, 2:17 p.m.: [20100414-IR-065100191ERA](#))

SECTION 3. [65 IAC 5-5-2](#) IS AMENDED TO READ AS FOLLOWS:

**[65 IAC 5-5-2](#) Definitions**

Authority: [IC 4-30-3-7](#); [IC 4-30-3-9](#)

Affected: [IC 4-30](#)

Sec. 2. (a) The definitions in this section apply throughout this rule.

(b) "Box play" means a ~~play designated as such when an on-line ticket is purchased for Daily3 containing~~ **wager that the three (3) numbers which may be digits selected by the player will match the winning numbers drawn by the commission in a specified selection event** in any order.

(c) "Combo play" means a ~~play designated as such when an on-line ticket is purchased for Daily3 containing a play which~~ **wager that** is split **evenly** between a straight play and a box play.

(d) "Daily3 – Evening" means the Daily3 ~~on-line~~ game associated with selection events conducted in the evening.

(e) "Daily3 – Midday" means the Daily3 ~~on-line~~ game associated with selection events conducted in the afternoon.

(f) "Play" means a selection of three (3) ~~numbers~~ **digits between and including zero (0) and nine (9) in a specified order** applicable to a particular selection event for **either Daily3 – Midday or Daily3 – Evening**.

(g) "Quick pick" means a play randomly generated by a terminal.

(h) "Straight play" means a ~~play designated as such when an on-line ticket is purchased for Daily3 containing~~ **wager that the three (3) numbers in the order in which they digits selected by the player will be drawn by the commission during a specified selection event in the exact order that the digits were selected by the player.**

(i) ~~"Six way box play" means a play designated a box play when an on-line ticket is purchased for Daily3 containing three (3) different numbers which may be drawn in any order.~~

(j) ~~"Six way combo play" means a combo play containing three (3) different numbers.~~

(k) ~~"Three way box play" means a play designated as a box play when an on-line ticket is purchased for Daily3 containing three (3) numbers, two (2) of which are the same, which may be drawn in any order.~~

(l) ~~"Three way combo play" means a combo play containing three (3) numbers, two (2) of which are the same.~~

~~(m)~~ (i) "Winning numbers" means three (3) numbers **determined between and including zero (0) and nine (9) drawn by the commission in a specific order** in a specific Daily3 – Evening or Daily3 – Midday selection event.

*(State Lottery Commission; [65 IAC 5-5-2](#); emergency rule filed Jul 6, 1990, 5:00 p.m.: 13 IR 2010; readopted filed Nov 30, 2001, 11:02 a.m.: 25 IR 1268; emergency rule filed Dec 10, 2003, 12:15 p.m.: 27 IR 1587; readopted filed Nov 30, 2009, 3:04 p.m.: [20091223-IR-065090855RFA](#); emergency rule filed Apr 1, 2010, 2:17 p.m.: [20100414-IR-065100191ERA](#))*

SECTION 4. [65 IAC 5-5-3](#) IS AMENDED TO READ AS FOLLOWS:

#### **[65 IAC 5-5-3](#) Ticket price**

**Authority:** [IC 4-30-3-7](#); [IC 4-30-3-9](#)

**Affected:** [IC 4-30](#)

Sec. 3. ~~Unless otherwise requested by the purchaser, the price of an on-line ticket containing~~ **A wager for one (1) play for Daily3 – shall Midday or Daily3 – Evening must be made in increments of one dollar (\$1) The price**

of an on-line ticket containing one (1) play for Daily3 may be increased by the purchaser in one dollar (\$1) increments up to a maximum of **and shall not exceed** ten dollars (\$10).

(State Lottery Commission; [65 IAC 5-5-3](#); emergency rule filed Jul 6, 1990, 5:00 p.m.: 13 IR 2010; readopted filed Nov 30, 2001, 11:02 a.m.: 25 IR 1268; emergency rule filed Dec 10, 2003, 12:15 p.m.: 27 IR 1587; readopted filed Nov 30, 2009, 3:04 p.m.: [20091223-IR-065090855RFA](#); emergency rule filed Apr 1, 2010, 2:17 p.m.: [20100414-IR-065100191ERA](#))

SECTION 5. [65 IAC 5-5-4](#) IS AMENDED TO READ AS FOLLOWS:

**[65 IAC 5-5-4](#) Procedure for playing**

**Authority:** [IC 4-30-3-7](#); [IC 4-30-3-9](#)

**Affected:** [IC 4-30](#)

Sec. 4. (a) ~~An on-line ticket for Daily3 shall represent one (1) play. An on-line~~ **A valid** ticket for Daily3 – shall **Midday or Daily3 – Evening must** be purchased by one (1) of the following methods:

- ~~(1) The purchaser may submit a completed play slip (if play slips are provided by the commission) which indicates a play to an authorized on-line retailer who shall generate an on-line ticket.~~
- ~~(2) The purchaser may advise an authorized on-line retailer of the numbers contained in the purchaser's play and the type of play, and the on-line retailer shall generate an on-line ticket.~~
- ~~(3) The purchaser may request a quick pick from an authorized on-line retailer who shall generate an on-line ticket with a random play.~~

**from the commission or an authorized retailer. A ticket may only be issued after the information and purchaser elections required by this rule are entered into a terminal.**

(b) ~~An on-line~~ **A** ticket is the only valid proof of a play and the only valid receipt for claiming a prize resulting from a Daily3 – **Midday or Daily3 – Evening** selection event. A play slip shall have no pecuniary or prize value and shall not constitute evidence of purchase of ~~an on-line a~~ ticket or a play.

(c) ~~An on-line~~ **A** ticket is **only** effective for the selection event **or events** indicated on the ~~on-line~~ ticket. If a purchaser fails to specifically request Daily3 – Evening or Daily3 – Midday, the retailer may issue ~~an on-line a~~ ticket for the next scheduled drawing. Subject to the restrictions of [65 IAC 5-2-9](#), the commission may offer multidraw ~~on-line~~ tickets for Daily3 – Evening or Daily3 – Midday selection events which are effective for up to twenty-eight (28) consecutive selection events. Daily3 multidraw ~~on-line~~ tickets are limited to the ~~on-line~~ game for which they were purchased ~~and cannot alternate between~~ **unless the player elects to apply multidraw to both the** Daily3 – Evening and Daily3 – Midday ~~on-line games.~~ **selection events.**

(d) Sales of ~~on-line~~ tickets for Daily3 selection events shall be suspended prior to the time of the associated selection event at a time determined by the director.

(e) Sales of ~~on-line~~ tickets containing a particular play shall be suspended if the total liability of the commission for winning ~~on-line~~ tickets containing that play would exceed an amount established by the director. No person shall be entitled to purchase ~~an on-line a~~ ticket containing any particular play if such play has been suspended, and neither the commission, the director, nor any employee of the commission shall be liable for the inability of any person to purchase ~~an on-line a~~ ticket containing a particular play.

(f) ~~On-line~~ Entry coupons may be generated by terminals for certain purchases of ~~on-line~~ tickets for Daily3.

(State Lottery Commission; [65 IAC 5-5-4](#); emergency rule filed Jul 6, 1990, 5:00 p.m.: 13 IR 2010; readopted filed Nov 30, 2001, 11:02 a.m.: 25 IR 1268; emergency rule filed Dec 10, 2003, 12:15 p.m.: 27 IR 1588; readopted filed Nov 30, 2009, 3:04 p.m.: [20091223-IR-065090855RFA](#); emergency rule filed Apr 1, 2010, 2:17 p.m.: [20100414-IR-065100191ERA](#))

SECTION 6. [65 IAC 5-5-5](#) IS AMENDED TO READ AS FOLLOWS:

**[65 IAC 5-5-5](#) Determination of winners**

Sec. 5. (a) Selection events for determination of winning numbers in Daily3 – Evening shall be held each day, ~~in accordance with [65 IAC 5-3-7](#) at a time to be determined by the director.~~ Selection events for determination of winning numbers in Daily3 – Midday shall be held on Monday through Saturday afternoons.

**(b) Each selection event in a Daily3 game shall:**

- (1) be conducted** in accordance with [65 IAC 5-3-7](#) at a time ~~designated to be determined~~ by the director;
- (2) determine three (3) winning numbers between and including zero (0) and nine (9); and**
- (3) determine the order that the three (3) winning numbers were selected.**

~~(b) Each owner of~~ **(c) A valid on-line ticket for one dollar (\$1) wager on a Daily3 selection event on which the three (3) numbers in for a: one-dollar (\$1)**

**(1) Straight play applicable to that selection event match matches** the three (3) winning numbers ~~and are in the same in exact order as the three (3) winning numbers~~ wins a prize of five hundred dollars (\$500).

~~(c) Each owner of a valid on-line ticket for a Daily3 selection event on which the three (3) numbers in a one dollar (\$1) six-way~~

**(2) Box play applicable to that: selection event match**

**(A) Matches** the three (3) winning numbers in any order **and all three (3) digits are unique (commonly referred to as six-way box play or, for example, "3 – 5 – 8")** wins a prize of eighty dollars (\$80).

~~(d) Each owner of a valid on-line ticket for a Daily3 selection event on which the three (3) numbers in a one dollar (\$1) three-way box play applicable to that selection event match~~

**(B) Matches** the three (3) winning numbers in any order **and two (2) digits are unique with one (1) digit repeating (commonly referred to as three-way box play or, for example, "3 – 5 – 3")** wins a prize of one hundred sixty dollars (\$160).

~~(e) Each owner of a valid on-line ticket for a Daily3 selection event on which the three (3) numbers in a one dollar (\$1) six-way~~

**(3) Combo play applicable to that:**

**(A) selection event match Matches** the three (3) winning numbers in any order **and all three (3) digits are unique (commonly referred to as a six-way combo play or, for example, "3 – 5 – 8")** wins a prize of forty dollars (\$40).

~~(f) Each owner of a valid on-line ticket for a Daily3 selection event on which the three (3) numbers in a one dollar (\$1) three-way combo play applicable to that selection event match~~

**(B) Matches** the three (3) winning numbers in any order **and two (2) digits are unique with one (1) digit repeating (commonly referred to as three-way combo play or, for example, "3 – 5 – 3")** wins a prize of eighty dollars (\$80).

~~(g) Each owner of a valid on-line ticket for a Daily3 selection event on which the three (3) numbers in a one dollar (\$1) six-way combo play applicable to that selection event match~~

**(C) Matches** the three (3) winning numbers ~~and are in the same exact order as the~~ **and all three (3) winning numbers digits are unique, for example, "3 – 5 – 8",** wins a prize of two hundred ninety dollars (\$290).

~~(h) Each owner of a valid on-line ticket for a Daily3 selection event on which the three (3) numbers in a one dollar (\$1) three-way combo play applicable to that selection event match~~

**(D) Matches** the three (3) winning numbers ~~and are in the same exact order as the three (3) winning numbers~~ **and two (2) digits are unique with one (1) digit repeating, for example, "3 – 5 – 3",** wins a prize of three hundred thirty dollars (\$330).

~~(i) (d)~~ **(d)** If a play eligible for a prize under this section was purchased for more than one dollar (\$1), the prize specified in this section shall be multiplied by a factor equal to the price of the play divided by one dollar (\$1).

*(State Lottery Commission; [65 IAC 5-5-5](#); emergency rule filed Jul 6, 1990, 5:00 p.m.: 13 IR 2011; readopted filed Nov 30, 2001, 11:02 a.m.: 25 IR 1268; emergency rule filed Apr 30, 2003, 10:45 a.m.: 26 IR 3057, eff May 1, 2003; emergency rule filed Dec 10, 2003, 12:15 p.m.: 27 IR 1588; readopted filed Nov 30, 2009, 3:04 p.m.: [20091223-IR-065090855RFA](#); emergency rule filed Apr 1, 2010, 2:17 p.m.: [20100414-IR-065100191ERA](#))*

SECTION 7. [65 IAC 5-5-6](#) IS AMENDED TO READ AS FOLLOWS:

**65 IAC 5-5-6 Odds of winning**

Authority: [IC 4-30-3-7](#); [IC 4-30-3-9](#)

Affected: [IC 4-30](#)

Sec. 6. (a) The odds of winning a prize **of five hundred dollars (\$500)** in a Daily3 selection event with a straight play are approximately one (1) in one thousand (1,000).

(b) The odds of winning a prize **of eighty dollars (\$80)** in a Daily3 selection event with a ~~six-way~~ box play, **in which all three (3) numbers are unique, for example, "3 – 5 – 8"**, are approximately ~~six (6) one~~ in one thousand ~~(1,000)~~: **hundred sixty-seven (167)**.

(c) The odds of winning a prize **of one hundred sixty dollars (\$160)** in a Daily3 selection event with a ~~three-way~~ box play, **in which two (2) digits are unique with one (1) digit repeating, for example, "3 – 5 – 3"**, are approximately ~~three (3) one~~ in one thousand ~~(1,000)~~: **three hundred thirty-three (133) [sic]**.

(d) The odds of winning a prize of forty dollars (\$40) in a Daily3 selection event with a one dollar (\$1) ~~six-way~~ combo play, **in which all three (3) numbers are unique, for example, "3 – 5 – 8", and match in any order**, are approximately ~~six (6) one~~ in one thousand ~~(1,000)~~: **two hundred (200)**.

(e) The odds of winning a prize of eighty dollars (\$80) in a Daily3 selection event with a one dollar (\$1) ~~three-way~~ combo play, **in which two (2) digits are unique with one (1) digit repeating, for example, "3 – 3 – 5", and match in any order**, are approximately ~~three (3) one~~ in one thousand ~~(1,000)~~: **five hundred (500)**.

(f) The odds of winning a prize of two hundred ninety dollars (\$290) in a Daily3 selection event with a one dollar (\$1) ~~six-way~~ combo play, **in which all three (3) numbers are unique, for example, "3 – 5 – 8", and match in exact order**, are approximately one (1) in one thousand (1,000).

(g) The odds of winning a prize of three hundred thirty dollars (\$330) in a Daily3 selection event with a one dollar (\$1) ~~three-way~~ combo play, **in which two (2) digits are unique with one (1) digit repeating, for example, "3 – 3 – 5", and match in exact order**, are approximately one (1) in one thousand (1,000).

*(State Lottery Commission; [65 IAC 5-5-6](#); emergency rule filed Jul 6, 1990, 5:00 p.m.: 13 IR 2011; readopted filed Nov 30, 2001, 11:02 a.m.: 25 IR 1268; emergency rule filed Dec 10, 2003, 12:15 p.m.: 27 IR 1589; readopted filed Nov 30, 2009, 3:04 p.m.: [20091223-IR-065090855RFA](#); emergency rule filed Apr 1, 2010, 2:17 p.m.: [20100414-IR-065100191ERA](#))*

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